

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY,  
PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA

CRIMINAL DIVISION

VS.

CC No. 201202820

THADDEUS CRUMBLY

CHARGES: CRIMINAL  
HOMICIDE, ROBBERY,  
ROBBERY OF A MOTOR  
VEHICLE, PERSONS NOT TO  
POSSESS FIREARMS,  
CARRYING FIREARM WITHOUT  
A LICENSE AND CRIMINAL  
CONSPIRACY

COMMONWEALTH'S PETITION  
TO AMEND CRIMINAL  
INFORMATION

Filed on Behalf of the  
Commonwealth of Pennsylvania

STEPHEN A. ZAPPALA, JR.  
DISTRICT ATTORNEY

By  
Steven M. Stadtmiller  
Deputy District Attorney  
Pa. I.D. No. 53332

Office of the District Attorney of  
Allegheny County  
401 Courthouse, 436 Grant St.  
Pittsburgh, PA 15219

(412) 350-4407

FILED  
2012 MAY 24 AM 8:52  
DEPT OF COURT RECORDS  
CRIMINAL DIVISION  
ALLEGHENY COUNTY PA

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TO THE HONORABLE BETH A. LAZZARA:

AND NOW, to-wit, comes the Commonwealth of Pennsylvania, by its attorneys,  
STEPHEN A. ZAPPALA, JR., District Attorney of Allegheny County, and Steven M.  
Stadtmiller, Deputy District Attorney, and represents the following:

1. Thaddeus Crumbley, (hereinafter "Defendant") is charged at count 1 of  
the Criminal Information with Criminal Homicide (18 Pa. C.S.A.  
§2501(a)(1)), count 2 Robbery (18 Pa. C.S.A. §3701(a)(1)(i) or (ii)), count  
3 Robbery of Motor Vehicle (18 Pa. C.S.A. §3702), count 4 Person Not to  
Possess Firearm (18 Pa.C.S.A. §6105), count 5 Carrying Firearm Without

a License (18 Pa. C.S.A. §6106) and at count 6 with Criminal Conspiracy (18 Pa.C.S.A. §903(a)(1));

2. Count 6 of the Criminal Information currently lists the Criminal Conspiracy to the crime of Murder. The actor, with the intent of promoting or facilitation the crime(s) of Criminal Homicide and/or Robbery conspired and agreed with Matthew Ebo that they or one or more of them would engage in conduct constituting such crime(s) or an attempt or solicitation to commit such crime(s), and in furtherance thereof committed "one or more of the following overt acts: shooting the victim and/or taking the victim's property";
3. The above-referenced charges arise from an incident on May 16, 2011, in which defendant allegedly conspired and agreed with Mathew Ebo to rob the victim (Todd Mattox). During the incident, Mattox was shot, causing him serious bodily injury resulting in his death;
4. Defendant was originally charged by Allegheny County Homicide Detective Michael Garlicki in the Police Criminal Complaint with two separate counts of conspiracy. Defendant was originally charged with one count of Criminal Conspiracy to Homicide and a second and separate count of Criminal Conspiracy to Robbery;
5. On March 27, 2012, during screening of the case by the District Attorney's Office, written notice was given of Commonwealth's partial withdrawal of charges, in which the District Attorney's Office withdrew one of the two charged conspiracy counts, and formed the remaining

conspiracy charge into a single combination conspiracy to Murder and/or Robbery. A Criminal Information was then filed with the combination conspiracy charge;

6. Based on the above alleged facts, defendant should be charged at Count 6 with Conspiracy to Robbery, in that the alleged agreement was to rob Todd Mattox, and in furtherance thereof committed one or more of the following overt acts: brandished a firearm and/or pointed a firearm at the victim and/or shot the victim and/or took the victim's property ;
7. There will be evidence presented that both actors were firing handguns at the victim during this incident. Thus, a reasonable jury could also find that there was a tacit agreement between Defendant and Matthew Ebo to kill the victim. Accordingly, defendant should be charged at count 7 with Conspiracy to Murder Todd Mattox, and in furtherance thereof committed one or more of the following overt acts: brandished a firearm and/or pointed a firearm at the victim and/or shot the victim;
8. This case is currently scheduled for trial before this Honorable Court on June 11, 2012;
9. The Commonwealth herein moves to amend the within Criminal Information as described above. Count 6 Conspiracy should be conspiracy to the crime of Robbery, Thaddeus Crumbley having conspired and agreed with Matthew Ebo, having committed one or more of the following overt acts: "brandished a firearm and/or pointed a firearm at

Todd Mattox and/or robbed and/or shot Todd Mattox and/or took the victim's property" (Exhibit A);

10. Additionally, the Commonwealth herein moves to amend the within Criminal Information as described above, to add Count 7, Conspiracy to Murder, Thaddeus Crumbley having conspired and agreed with Matthew Ebo, having committed one or more of the following overt acts:  
brandished a firearm and/or pointed a firearm at Todd Mattox and/or shot Todd Mattox. (Exhibit A);
11. Additionally, Count 4 of the Criminal Information currently reads "The actor possessed... a firearm, said actor having previously been convicted of Possession with Intent to Deliver". Count 4 should properly read "having previously been convicted of Possession with Intent to Deliver a Controlled Substance". The Commonwealth herein moves to amend the within Criminal Information at count 4 to add the language "a Controlled Substance" as described above. (Exhibit A);
12. The Defendant would not be prejudiced by these amendments, as the charges involve the identical basic elements and evolve out of the same factual situation as the crimes charged in the original Police Criminal Complaint and the Criminal Information. Commonwealth v. Grekis, 601 A.2d 1284, 1289 (Pa. Super 1992). Further, the Defendant has known the facts that support the proposed amendments since the time that the complaint was filed. *Id.*

WHEREFORE, the Commonwealth respectfully requests that count 6 (six) of the Criminal Information filed in the above-captioned case be amended to reflect that the conspiracy alleged at that count is a conspiracy to the crime of Robbery, that defendant allegedly conspired and agreed with Matthew Ebo to commit said Robbery, and that in furtherance thereof did as a principal or accomplice, commit one or more of the following overt acts: "brandished a firearm and/or pointed a firearm at the victim and/or took the victim's property and/or attempted to rob and/or shot Todd Mattox". Additionally, the Commonwealth respectfully requests that count 7 (seven) be added to the Criminal Information filed in the above captioned case for the Crime of Criminal Conspiracy to the crime of Murder, that the defendant conspired and agreed with Matthew Ebo to commit the crime of Criminal Homicide, and in furtherance thereof did, as a principal or accomplice, commit one or more of the following overt acts: "brandished a firearm and/or pointed a firearm at the victim and/or shot the victim Todd Mattox". Finally, the Commonwealth respectfully requests that count 4 (four) of the Criminal Information filed in the above captioned case be amended to properly allege that the defendant had "been previously convicted of Possession with Intent to Deliver *a Controlled Substance*".

Respectfully submitted,

STEPHEN A. ZAPPALA, JR.  
DISTRICT ATTORNEY

By:

  
STEVEN M. STADTMILLER  
DEPUTY DISTRICT ATTORNEY



"Exhibit A"

\*CC201202820\*

**Commonwealth of Pennsylvania**

vs

**Thaddeus Thomas Crumbley**

**CC No.** CC201202820

**Offense Date** 05/16/2011

**O.T.N. No.** G 547704-3

**Filed Date** 12/07/2011

**B.C.I. No.**

**Pre-Trial Date** 03/26/2012

**S.I.D. No.** 23515679

**180/365 Dates** 06/04/2012 / 12/06/2012

**Race** Black

**F / A Date** 04/04/2012

**Sex** Male

**Judge**

**SS #** [REDACTED]

**Reporter**

**D.O.B.** [REDACTED]

**Minute Clerk**

**A.D.A.** Steven M Stadtmiller

**SEE ATTACHED SHEET CASE(S) TO BE LINKED**

**Count 1:** 182501A: CRIMINAL HOMICIDE

**Count 2:** 183701A1I: ROBBERY- SERIOUS BODILY INJURY

**Count 3:** 183702A: ROBBERY OF MOTOR VEHICLE

**Count 4:** 186105A1: PERSONS NOT TO POSSESS, USE, ETC A FIREARM

**Count 5:** 186106A1: CARRYING FIREARM WITHOUT A LICENSE

**Count 6:** 18903A1: CRIMINAL CONSPIRACY

**Count 7:** 18903A1: CRIMINAL CONSPIRACY

CASE(S) LINKED TOGETHER:

COMMONWEALTH V. THADDEUS THOMAS CRUMBLY

MATTHEW LAMAR EBO  
CC201202821 No Date

Judge:

D/A: Steven M Stadtmiller





Count 5

CARRYING FIREARM WITHOUT A LICENSE

Felony 3

The actor carried, without a license therefore as provided by Chapter 61, Subchapter A of the Pennsylvania Crimes Code, 18 Pa. C.S. §6101 et. seq., a firearm concealed on or about his person, or in a vehicle, in violation of Section 6106 of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa. C.S. §6106, as amended.

Count 6

CRIMINAL CONSPIRACY

Felony 1

The actor, with the intent of promoting or facilitating the crime(s) of Robbery, conspired and agreed with Matthew Ebo that they or one or more of them would engage in conduct constituting such crime(s) or an attempt or solicitation to commit such crime(s), and in furtherance thereof committed one or more of the following overt acts: brandished a firearm and/or pointed a firearm at Todd Mattox and/or robbed and/or shot Todd Mattox and/or took the victim's property, in violation of Section 903 (a) (1) of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa. C.S. §903 (a)(1), as amended.

Count 7

CRIMINAL CONSPIRACY

Murder

The actor, with the intent of promoting or facilitating the crime(s) of Murder, conspired and agreed with Matthew Ebo that they or one or more of them would engage in conduct constituting such crime(s) or an attempt or solicitation to commit such crime(s), and in furtherance thereof committed one or more of the following overt acts: brandished a firearm and/or pointed a firearm at Todd Mattox and/or shot Todd Mattox, in violation of Section 903 (a) (1) of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa. C.S. §903 (a)(1), as amended.

All of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

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Attorney for the Commonwealth

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PERSONS NOT TO POSSESS  
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CRIMINAL CONSPIRACY

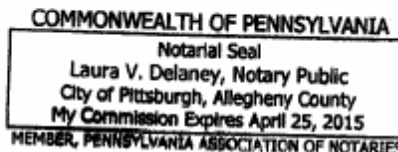
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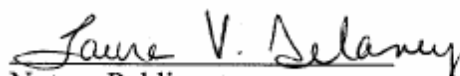
BEFORE ME, the undersigned authority for and in said County and State,  
personally appeared Steven M. Stadtmiller, Deputy District Attorney, who, being duly  
sworn according to law, deposes and says that the statements contained in the foregoing  
are true and correct to the best of his knowledge, information, and belief.

  
STEVEN M. STADTMILLER  
DEPUTY DISTRICT ATTORNEY

SWORN to and SUBSCRIBED

Before me, this 24<sup>th</sup> day of  
May, 2012.



  
Notary Public

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PERSONS NOT TO POSSESS  
FIREARM, CARRYING FIREARM  
WITHOUT A LICENSE, AND  
CRIMINAL CONSPIRACY

PRELIMINARY ORDER

AND NOW, to-wit, this \_\_\_\_\_ day of \_\_\_\_\_, 2012, it is hereby  
ORDERED, ADJUDGED and DECREED that the Commonwealth's Petition to Amend  
Criminal Information shall be heard and disposed of on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2012, at \_\_\_\_\_ (a.m.)(p.m.).

BY THE COURT:

\_\_\_\_\_, J.

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PERSON NOT TO POSSESS  
FIREARM, CARRYING FIREARM  
WITHOUT A LICENSE AND  
CRIMINAL CONSPIRACY

ORDER OF COURT

AND NOW, to-wit, this \_\_\_\_ day of \_\_\_\_\_, 2012, it is hereby ORDERED, ADJUDGED, and DECREED that the Criminal Information filed in the above-captioned case be and is hereby AMENDED at count 6 to read that the alleged conspiracy was to the crime of Robbery, and that the actor conspired and agreed with Matthew Ebo to commit such crime, and in furtherance thereof did as a principal or an accomplice, commit one or more of the following overt acts: "brandished a firearm and/or pointed a firearm at the victim and/or attempted to rob and/or shot Todd Mattox", in violation of section 903(a)(1) of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa. C.S. §903(a)(1).

It is further Ordered that the Criminal Information filed in the above-captioned case be and is hereby AMENDED to add Count 7, Criminal Conspiracy to the crime of Murder, that the defendant conspired and agreed with Matthew Ebo to commit the crime of Criminal Homicide, and in furtherance thereof did, as a principal or accomplice,

commit one or more of the following overt acts: brandished a firearm and or pointed a firearm at the victim and/or shot the victim Todd Mattox.

It is further Ordered that the Criminal Information filed in the above-captioned case be and is hereby AMENDED at count 4 to properly allege that the defendant had “been previously convicted of Possession with Intent to Deliver *a Controlled Substance*”.

BY THE COURT:

\_\_\_\_\_, J.

CERTIFICATE OF SERVICE

I hereby certify that, on this 23<sup>rd</sup> day of May, 2012, I have caused to be delivered a true and correct copy of the within motion to:

VIA FIRST CLASS MAIL:

Wendy Williams, Esquire  
437 Grant Street, Suite 417  
Pittsburgh, PA 15219

The Honorable Beth A. Lazzara  
Fifth Floor  
Allegheny County Courthouse  
Pittsburgh, PA 15219

Helen M. Lynch, Esquire  
Court administrator  
Room 535 Courthouse  
Pittsburgh, PA 15219

  
STEVEN M. STADTMILLER  
DEPUTY DISTRICT ATTORNEY